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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 BRANDON C. WILLIAMS, } 3:15-cv-00427-MMD-WGC
8 Plaintiff, }
9 v. }
10 STATE OF NEVADA, } **ORDER**
11 Defendants. }
12 _____)

13 **I. DISCUSSION**

14 Plaintiff, who is a prisoner in the custody of the Elko County Jail, has initiated a civil
15 rights action by filing a “Petition for Extraordinary Relief” pursuant to § 1983. (ECF No. 1-1).
16 Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in*
17 *forma pauperis*.

18 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
19 application to proceed *in forma pauperis* and attach both an inmate account statement for the
20 past six months and a properly executed financial certificate. The Court will retain Plaintiff’s
21 civil rights matter(ECF No. 1-1), but will not file it until the matter of the payment of the filing
22 fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma*
23 *pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file
24 an application to proceed *in forma pauperis* he must file a fully complete application to proceed
25 *in forma pauperis*.

26 **II. CONCLUSION**

27 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND
28 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as

1 the document entitled information and instructions for filing an *in forma pauperis* application.

2 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
3 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
4 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
5 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
6 administrative fee).

7 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
8 dismissal of this action may result.

9 IT IS FURTHER ORDERED that the Clerk of the Court shall retain ECF No. 1-1, but
10 shall not file it at this time.

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12 DATED: This 3rd day of September, 2015.

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14 
United States Magistrate Judge

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